The Rap Rap- Hoover's 3/13 'gram to Smith, Md. State Police

Questions remaining, omissions and/or evasions, assumptions not internally validated;

"Residues typical of and consistent with those solid deposits remaining after detonation of a dynamite (sic) found on parts of automobile".

1) With what else are these residues consistent? Are they typical of other types of explosives?

2) Are there any deposits other than solid present or to be expected?

3) How about deposits on bodies? Were there any? If so, what do they indicate? Same for clothing, esp. "Payne's" shoes and lower trousers.

4) Where else ought deposits have been and what of them? Clock? Battery? Road surface?.

5) No reference to container. Were there traces or evidences of one? If so, what of residues, etc?

6) Why no reference to nature of testx or tests made? Spectrographic analysis? Neutrol activation? That are possibilities, what are customary?

"Not possible from examination of residues to determine brand, percentage strength, amount of type dynamite"

1)Is itgenerally or customarily possible to determine one or more of these things from other than the residues?

2) Was there any undetonated recovered?

3) Are there tests that could have been made and weren't, i/e/ analysis?

4) Was is from the enumaterated things only that these things could have been learned? And how about strength rather than percentage strength? And from other things, such as effects on bodies, vehicle, road surface, nearby objects, etc?

5) Are there significantly different types of dynamite or does this mean type of explosive?

"Explosives specialist who conducted on-the-scene examinations of opinion explosion occurred inside automobile in front of front seat on passenger or right side."

1) The expert didn't have to be on the scene to learn or conclude this. There are things he could have learned on the scene not referred to, like damage

and force exerted, in what directions and with what strength, etc. Why no ref? Like how far forward, backward, to sides, anything was blown, whether there was effect on other parts of car, i.e. motor, which was not in the front seat or on the floorboards. Why are such things omitted? Are they inconsistent with what is not omitted?

2) "Examinations", plurel. What ones made and why not reported in rein?

3) "In front of front seat" needless vague when it ispossible, from this telegram, to specify. Was it directly in front, where feet would ordinarily be, or up on floorboards toward firewall? Could it have been attached to sloping part of floorboards? Were any materials, like tape, recovered that could indicate such a possibility? (This is not to suggest the device was so placed but to suggest the question should not, needlessly remain, for the main force of the blast should be fairly clear.)

4) Where, laterally, in front of front seat? Closer to center, for example?

"An explosive charge so positioned would logically be resting on floorboard, area of car where explosion occurred does not include glove compartment, dashboard or parts of automobile where explosives charge could have been concealed from view of persons occupying front seat."

1) "Logically" is not sufficient. Was there are reason to believe there was anything between floorboards and device (i.e., sponge rubber, mat), anything above it or in front or back? If it was close to seat, is damage to seat like that to floorboards? How does explosive force exert itself? Not equally in all directions unless measures taken to direct or control? And evidence of anything like this? Any evidence of any blanketing or directing device or design?

2) The entire device could have been not immediately recognized by occupants if they did not place it in car whether or not it "could have been concealed from view of persons". The question is not one of concealment at close to midhight if the question to be answered is was it planted. Unless it is known how long (if at all) the car could have been unattended shortly before explosion, it could have been but seconds from the time they strated the car until the time of the explosion. Here also the kind of container can be significant. It could have been something in ocent, like a grocery bag on the outside, or a box from books, etc. It is quite proper to say the device could not, from the evidence, have been in the glove compartment, behind the dashboard, etc., but as formulated here this is a prosecution type argument, not either logical or definitive.

Even the use of plural "persons" is an argument, for is there any reason to assume the driver would have looked at the floor of the opposite side of the car in getting into it? Suppose, also, the light did not come on automatically, from something as innocent as being burned out or a broken switch? How as anyone to see this that time of the night? And with the car belonging to neither, either could have assumed there was something strange in the car belonging to the owner, at least for a short period of time. Here the size of the package, nowhere indicated, assumes significance. Also its shape. A possibility, perhaps remote, is a very flat package that might not have felt too unusual underfoot. But if one is to argue, as the telegram does, suppose it had been a very flat package and was underneath the rug and over the floorboards. Would it not then have been concealed? To say it was not in the glove compartment, etc.,is not to say it was not concealed, even if this isn't the key point; it is to argue a point rather than present evidence.

"Parts of key-wound clock characteristic of Westclox manufacture found in automobile debris".

1) Where in debris? Where consistent with having been part of device or where inconsistent?

2) Any indication it had been altered to be part of device?)

3) Was there nothing else in debris? Not even in trunk? Pass. compartment? Evidences of food, drink (from coffee to liquor, soft drinks, etc.) No literature, written matter, books, etc? What was contents glove compartment?

4) What percentage of parts of complete clock? Did it include those parts where alteration would have been necessary to use as timing device on bomb? If it dod, then no mention means not so altered and that clock was planted for just the misuse made here.

5) "Characteristic of Westclox". Also "characteristic" of any other make (by the time of this wire, there had been the Cambridge explosion, where it seems a Westclox clock, all or part, was found.) Could question have been eliminated, ident. made unequivocal, physically or by analysis?

"Fragments of mercury battery or batteries among items reportedly removed from body of victim William H. Payne."

It might have been more precise to have said "reportedly William H. Payne", for there is no internal proof of identification.

1) What kind or size of mercury battery? Why use mercury battery unless there is special reason? What could such reason(s) be?

2) Why omit other items in body? Why not explain how they could have gotten there, as by being not only part of bomb but top part? What purpose could whatever it was serve? Sharpnel? Would this have been consistent or inconsistent with imputation the device was being transported by these men, who intended to use it? How could they have had a use for shrapnel-like additions? Why were these items not publicized when there was such intense publicity on what tended to convince the pres and the public of the inherent argument in the medical "report"? Were any of these "items" traceable? Were they traced? Identified?

"Not possible to determine what caused explosive charge to detonate inside car". (added argument, because what this can say is what caused it to explode, not where)

1) To say it is not possible to determine what caused the explosion is to say there is no reason to believe clock caused it. This is to say the clock was not an integral part of mechanism. And this, in turn, focuses more attention on those other "items" from victim's body. One possibility is a simple electrical switch, motivated by so simple a thing as pressure or removing pressure (as in lifting).

2) Is this not to say that the FBI cannot even say that the mercury battery or batteries caused the detonation? If not, what prupose did they serve or could they have?

3) Is there anything outside "Payne's" body to indicate other batteries or another kind of device was used to detonate? Why no ref to Featherstone's body? Nothing foreign in it?

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At best this is an argument, not a dispassionate report. The omissions are so glaring they demand suspicion. And what is said is so meagre, there is not the slightest suggestion of the natur and extent of any tests made.